



# UNITED STATES PATENT AND TRADEMARK OFFICE

*MN*  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,363	06/24/2003	Richard James Humpleman	SAM1.PAU14B	1578

7590 05/15/2007  
Kenneth L. Sherman, Esq.  
Myers Dawes Andras & Sherman, LLP  
11th Floor  
19900 MacArthur Blvd  
Irvine, CA 92612

EXAMINER
----------

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
----------	--------------

2176

MAIL DATE	DELIVERY MODE
-----------	---------------

05/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/603,363	<b>Applicant(s)</b> HUMPLEMAN ET AL.	
	<b>Examiner</b> William L. Bashore	<b>Art Unit</b> 2176	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 9-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20 is/are allowed.
- 6) ☒ Claim(s) 9-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2176

### **DETAILED ACTION**

1. This action is responsive to communications: RCE/amendment filed 2/23/2007, to the original application filed 6/24/2003, with acknowledged provisional application filing dates of 9/22/1997, and 6/25/1997. IDS filed 6/24/2003, 4/11/2005, 9/26/2005, 10/14/2005, 2/27/2006, 4/20/2006, 6/19/2006, and 9/6/2006.
2. Claims 9-20 pending. Claims 9, 20 are independent claims.

### ***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/23/2007 has been entered.

### ***Allowable Subject Matter***

4. **Claim 20 is allowed.**

Art Unit: 2176

***Claim Rejections - 35 USC § 103***

**5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 9-14, 16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman et al. (hereinafter Venkatraman), U.S. Patent No. 5,956,487 issued September 1999, in view of Hanson, U.S. Patent No. 6,148,346 issued November 2000.**

**In regard to independent claim 9, Venkatraman teaches:**

- a home automation network comprising an interface for accessing currently connected home devices

(Venkatraman Figure 3, column 3 lines 27-33

- a self contained home network comprising inter-communication links and a web browser enabling communication with a set of devices. It is noted that a device must be connected so that Venkatraman can read its data. Within the device (Venkatraman Figures 2, 3, column 5 lines 29-40, 46-51; compare with claim 1 “*creating a device link page...in the one or more devices*”). Venkatraman does not specifically teach a device button for each identified home device. However, Hanson teaches communication between various devices utilizing a set of GUI buttons (a device link page). The “Available Printers” GUI button can represent any one of a set of printer devices selected by a user (Hanson Figures 3-5, column 5 lines 25-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman, because of Hanson’s taught advantage of

Art Unit: 2176

visual presentation, so as to provide Venkatraman a way to visually access all devices available on a home network.

- a set of user interface functions written in HTML, said functions associated with a device on a network (Venkatraman Figure 3, column 5 lines 36-42).
- display of device information on a network browser (Venkatraman Figure 3).

**In regard to dependent claims 10, 11, 12,** Venkatraman teaches a home device connected to an HTML browser-based home network, as well as a link page (as described above). Venkatraman teaches a home based network enabling a web browser to access user interface functions via URL's, said URL's can be embedded within an appliance (Venkatraman column 5 lines 29-42, column 8 lines 1-8).

**In regard to dependent claims 13, 14,** Venkatraman does not specifically teach associating/retrieving an associated logical name, as well as icons. However, Hanson teaches a listing of available devices, each device comprising a logical name (ie. HDE/Meister, HDE/Gerry), to which a device is user selected and is represented by various GUI buttons associated with a status icon (Hanson Figures 3-5, column 5 lines 25-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman, because of Hanson's taught advantage of user selection, providing Venkatraman a way to customize a home network.

**In regard to dependent claim 16,** Venkatraman teaches a home based network enabling a web browser to access user interface functions via URL's, said URL's can be embedded within an appliance (Venkatraman column 5 lines 29-42, column 8 lines 1-8).

Art Unit: 2176

**In regard to dependent claim 18**, Venkatraman teaches a method whereby web server queries a device, and in response, the targeted device transfers an HTML file that defines its device web page (Venkatraman column 7 lines 37-46).

**In regard to dependent claim 19**, Venkatraman teaches a home device connected to a home network, as well as a link page. Venkatraman does not specifically teach associating/retrieving a logical name stored in a device link file, as well as icons. However, Hanson teaches a listing of available devices, each device comprising a logical name (i.e. HDE/Meister, HDE/Gerry), to which a device is user selected and is represented by various GUI buttons associated with a status icon (Hanson Figures 3-5, column 5 lines 25-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman, because of Hanson's taught advantage of user selection, providing Venkatraman a way to customize a home network.

7. **Claims 15, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman and Hanson as applied to claim 1 above, and further in view of Reber et al. (hereinafter Reber), U.S. Patent No. 5,938,726 issued August 1999.**

**In regard to dependent claims 15, 17**, Venkatraman teaches a user defined area (Venkatraman Figure 3). Venkatraman does not specifically teach a method of receiving a device logo from a home device, on an area of the page. However, Reber teaches a method of displaying a graphical logo relating

Art Unit: 2176

to a device onto a browser screen (Reber Figure 3; compare with claims 5, 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the logo method of Reber to the list and button GUI of Venkatraman/Hanson, because of Reber's taught advantage of graphical logos, providing increased device recognizability to the method as taught by Venkatraman/Hanson.

### ***Response to Arguments***

8. Applicant's arguments filed 2/23/2007 have been fully and carefully considered but they are not persuasive.

Applicant argues on page 8 of the amendment that Venkatraman does not teach creating a device link page from at least the local network, as claimed. The examiner respectfully disagrees. Venkatraman teaches an embedded Web server in a device so that one can access said device (using a network i.e. the Internet) through a device Web page (Venkatraman Abstract). Venkatraman Figure 3 provides an example device page, linking a printer device accordingly. In addition, Venkatraman teaches that said web page can reflect the updated state of the device, as well as embody various control buttons for controlling said device (Venkatraman column 3 lines 27-42). Venkatraman's page employs hypertext links associated with a specific device(s).

Regarding Applicant's arguments on pages 8-9 of the amendment (the Hanson reference), it is respectfully noted that Hanson's printer icon reflects a device which is linked accordingly.

In addition, Hanson teaches a listing of available devices, each device comprising a logical name (ie. HDE/Meister, HDE/Gerry), to which a device is user selected and is represented by various GUI buttons associated with a status icon.

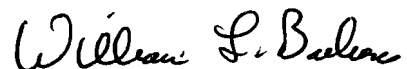
Art Unit: 2176

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached 9:00am - 5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**

May 13, 2007